

ASSEMBLY BILL

No. 714

Introduced by Assembly Member Wieckowski

February 21, 2013

An act to add Section 104338.5 to the Health and Safety Code, and to add Section 1463.29 to the Penal Code, relating to traffic offenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 714, as introduced, Wieckowski. Traffic offenses: additional penalty: spinal cord injury research.

Existing law requires that all fines and forfeitures imposed and collected for crimes other than parking offenses resulting from a filing in a court be deposited with the county treasurer, to be distributed monthly, as required by law. Existing law authorizes the University of California to establish a spinal cord injury research fund, independent of the State Treasury, to accept public and private funds for spinal cord injury research programs and grants.

This bill would impose an additional penalty of \$1 to be imposed upon every conviction for a violation of state or local traffic laws, except for offenses relating to parking. The bill would require the penalty to be deposited with the county treasurer who would, on a semiannual basis, transfer the moneys to the State Treasury for deposit into the Roman Reed Spinal Cord Injury Penalty Fund, which the bill would establish. Because the bill would require the county treasurer to perform additional duties, this bill would impose a state-mandated local program. The bill would also provide that, prior to the transfer of funds to the State Treasury, the county treasurer is required to withhold a sufficient amount necessary to reimburse the county and the courts for their actual, reasonable, and necessary costs associated with administering these

provisions. If those amounts are withheld, the bill would authorize the county to send an accounting report detailing its costs to the Regents of the University of California.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 104338.5 is added to the Health and
2 Safety Code, to read:
3 104338.5. The Roman Reed Spinal Cord Injury Research
4 Penalty Fund is hereby established in the State Treasury to receive
5 moneys pursuant to subdivision (b) of Section 1463.29 of the Penal
6 Code. Moneys in the fund shall, upon appropriation by the
7 Legislature, be expended by the Regents of the University of
8 California for the purposes of implementing this chapter.
9 SEC. 2. Section 1463.29 is added to the Penal Code, to read:
10 1463.29. (a) Subject to subdivision (b), an additional penalty
11 in an amount equal to one dollar (\$1) shall be imposed upon every
12 conviction for a violation of any provision of Division 11
13 (commencing with Section 21000) of the Vehicle Code, or a
14 violation of any local ordinance adopted pursuant to the Vehicle
15 Code, except offenses relating to parking as defined in subdivision
16 (i) of Section 1463.
17 (b) Penalties imposed and collected pursuant to this section shall
18 be deposited with the county treasurer who shall transfer the
19 moneys on March 15 and October 15 of each year to the State
20 Treasury for deposit in the Roman Reed Spinal Cord Injury
21 Research Penalty Fund established pursuant to Section 104338.5
22 of the Health and Safety Code. Prior to the transfer of funds to the
23 State Treasury, the county treasurer shall withhold a sufficient
24 amount necessary to reimburse the county and the courts for their
25 actual, reasonable, and necessary costs associated with
26 administering this section. To the extent moneys are withheld by
27 the county treasurer, an accounting report detailing these costs

1 may be sent by the county to the Regents of the University of
2 California.

3 SEC. 3. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 a local agency or school district has the authority to levy service
6 charges, fees, or assessments sufficient to pay for the program or
7 level of service mandated by this act, within the meaning of Section
8 17556 of the Government Code.

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